

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PAMELA KERKER,

Plaintiff,

- against -

NATIONAL RAILROAD PASSENGER CORPORATION
d/b/a AMTRAK,

Defendant.

07 CV 6283

X JUDGE BRIEANT
NOTICE FOR REMOVAL

Defendant National Railroad Passenger Corporation ("Amtrak"), through its attorneys, Landman Corsi Ballaine & Ford P.C., respectfully states upon information and belief:

1. On June 19, 2007, defendant received the Summons and Verified Complaint in this action which is currently pending in the Supreme Court of the State of New York, Dutchess County. A copy of the Summons and Verified Complaint is annexed hereto as Exhibit A. This constitutes all prior pleadings/orders served upon defendant to date.

2. According to the Verified Complaint, on June 29, 2006, plaintiff Pamela Kerker allegedly sustained personal injuries at the premises known as Rhinecliff Station located in Dutchess County, New York.

3. Amtrak is removing this action because defendant Amtrak was created by an Act of Congress, 49 U.S.C. § 24101, et seq., and more than one-half its capital stock is owned by the United States. Thus, the above-described action is a civil action of which this Court has original jurisdiction under the provisions of Title 28, U.S.C. §§ 1331 and 1349 and is one which may be removed to this Court by the defendant therein, pursuant to the provisions of Title 28, U.S.C. § 1441.

WHEREFORE, defendant Amtrak prays that the action now pending against it in the Supreme Court of the State of New York in and for the County of Dutchess be removed therefrom

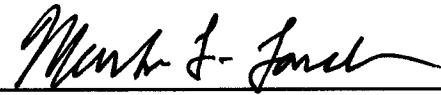
to this Court.

Dated: New York, New York
July 9, 2007

Respectfully submitted,

LANDMAN CORSI BALLAINE & FORD P.C.

By:



Mark S. Landman (ML 7654)
Attorneys for Defendant Amtrak
120 Broadway, 27th Floor
New York, New York 10271-0079
(212) 238-4800